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MAY 31 2006

Practitioner's Docket No. PPC-823

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nguyen, Hien Vu

Application No.: 10/057,352

Group No.: 3761

Filed: 01/24/2002

Examiner: KARIN M. REICHE

For: HIGH ABSORBENCY LYOCELL FIBERS AND METHOD FOR PRODUCING SAME

Mail Stop Petition

06/01/2006 STEUMEL1 00000040 100750 10057352

Commissioner for Patents

01 FC:1453 1500.00 DA

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 C.F.R. § 1.137(b)**

1. This application became abandoned on or about February 5, 2005.
2. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional (37 C.F.R. § 1.137(b)(3)).
3. Response or action required is attached.

In connection with the required reply which is required by this petition, please note that the response in this case is the filing of a Response to Restriction Requirement.

4. Fee (37 C.F.R. § 1.17(m))

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

/Joel A. Rothfus/

Signature

Joel A. Rothfus

(type or print name of person certifying)

Date: May 31, 2006

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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NO. 0206 P. 8

MAY 31 2006

Application status is other than small entity—fee \$1,500.00.

5. Payment of fee

Authorization is hereby made to charge the amount of \$1,500.00 to Deposit Account No. 10-0750.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate copy of this petition is attached.

6. Showing:

Because this petition is more than 1 year after the date of abandonment, applicant additionally submits further information as to when the applicant (or applicant's representative) first became aware of the abandonment of the application, and a showing as to how the delay in discovering the abandoned status of the application occurred despite the exercise of due care or diligence on the part of the applicant (or applicant's representative). 62 Fed. Reg. 53,131, 53,159 (Oct. 10, 1997).

7. Terminal Disclaimer

Since this application is not a design application, no terminal disclaimer is required.

Date:

May 31, 2006

/Joel A. Rothfus/

Signature of person making statement that
abandonment was due to unintentional delay

Joel A. Rothfus
One Johnson & Johnson Plaza
New Brunswick, NJ 08933

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MAY 31 2006

Johnson & Johnson

CORPORATE HEADQUARTERS
PATENT LAW DEPARTMENT
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NEW JERSEY 08933

FACSIMILE TRANSMISSION COVER SHEET

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PTO FACSIMILE NUMBER: (571) 273-8300

FROM: Joel A. Rothfus
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
Tel: (732) 524-2722

J&J FACSIMILE NUMBER: (732) 524-2808

DATE: May 31, 2006

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 10

COMMENTS: Re: U.S. Serial No. : 10/057,352
J&J Docket No.: PPC-823

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL
(732) 524-2794

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NO. 0206 P. 9

MAY 31 2006

Docket No. PPC-823

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nguyen Confirmation No.: 2014
Appln. No. : 10/057,352
Filed : 01/24/2002
Title : HIGH ABSORBENCY LYOCELL FIBERS AND METHOD FOR
PRODUCING SAME

Art Unit : 3761
Examiner : KARIN M. REICHE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED
TO THE U.S. PATENT AND TRADEMARK OFFICE
TO FACSIMILE NO. 571-273-6300

May 31, 2006

(Date or Deposit)

JOEL A. ROTHEFUS

(Name of Applicant, Assignee, or Registered Representative)

/Joel A. Rothfus/

(Signature)

May 31, 2006

(Date of Signature)

Commissioner for Patents
Arlington, VA 22202

STATEMENT ACCOMPANYING A PETITION TO REVIVE

Dear Sir:

The undersigned is the attorney of record in the present application and is employed by Johnson & Johnson, the parent company of the assignee of this application.

The undersigned has a prosecution docket of approximately 90 pending U.S. patent applications and a proportionately large foreign prosecution docket. In addition, the undersigned is involved in two litigation actions, due diligence and negotiation activities in several matters relating to the acquisition and/or divestiture of intellectual property rights, and in day-to-day client counseling activities. This level of activity has been at least constant, if not increasing, over the past year.

The U.S. Patent and Trademark Office issued a Notice of Abandonment in this application on August 8, 2005, and this Notice appears to have been received by the Johnson & Johnson Patent Department docket clerks on August 11, 2005.

Serial No. 09/991,407

The Johnson & Johnson Patent Department docketing and document handling systems have been transitioning from paper-based to electronic systems since November 2004. Instead of forwarding file folders with attached Office Actions, the Johnson & Johnson Patent Department notifies attorneys of incoming Office Actions via email, and the actual documents are uploaded into an electronic database. In order to view the document, the attorney must access the electronic database to view and/or print out the document. Neither the paper file nor the paper documents are ordinarily delivered to the attorney. The undersigned regularly receives between thirty and 100 emails per day. There is no automatic notification to the attorney of pending final docket dates.

In December 2005, a review of patent application activity revealed that some applications on the undersigned's docket had gone abandoned, and a docketing database search in January revealed that the present application was also abandoned. Consultations with the undersigned between late January and into March confirmed that the assignee had no intention of abandoning this application. The undersigned's workload has again kept the accompanying petition from being filed sooner.

Respectfully submitted,

By: Joel A. Rothfus/
JOEL A. ROTHFUS
Reg. No. 33,277

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2722
Dated: May 31, 2006